

Daniel Andrew Pallen
c/o 106 West Front Street
Media, Pennsylvania

May 10, 2013

VIA CERTIFIED MAIL

Lawrence K. Baerman
clerk of court
James Hanley Federal Bldg.
P.O. Box 7367
100 South Clinton Street
Syracuse, New York 13261

COPY

Dear Lawrence K. Baerman:

This letter is to alert you that a habeas corpus (that being a judicial record) and having been presented to the clerk twice, on or about the dates of March 19, 2013 and April 19, 2013, was filed into the wrong court. This judicial record was presumably filed into incorrect jurisdiction in the unrelated case (i.e. 1:12-cr-00579-TJM) by way of inadvertence. I enclose a photostatic copy for your quick reference.

This habeas corpus, which erroneously appears on the docket for No. 1:12-cr-00579, is a judicial record. As such, please be aware that the mistaken entry of this petition into an inferior court of limited jurisdiction creates a serious alteration of said judicial record thus converting it into an "official record" at statute. Please be also aware that, as a habeas corpus, this is to be treated as an emergency petition. Respectfully, a correct filing should be with urgency.

While you may be relatively unfamiliar with the proper court at superior jurisdiction, it is important that this judicial record be properly entered into the court of record (rather than the corresponding court not of record) which is specifically named and duly and exactly noted on the cover page of the habeas corpus.

In closing, I further write to gently ensure that you would not inadvertently accept any liability as stipulated at limited statutory jurisdiction per 18 U.S.C. § 2071, *et. seq.* Specifically I refer you to 18 U.S.C. § 2076. I have calendared the re-filing in the proper venue and jurisdiction for three (3) days.

Thank you kindly for your time, attention and consideration. Please contact me directly with any questions or concerns. I remain.

By: 

Daniel Andrew Pallen
attorney and counselor-at-law
c/o 106 West Front Street
Media Pennsylvania

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board of bar examiners*

DP/mp
Enclosure
cc:

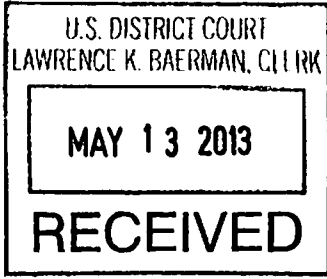
Gary L. Sharpe
James T. Foley U.S. Courthouse
445 Broadway, First Floor South
Albany, New York 12207

Thomas J. McAvoy
U.S. Courthouse
15 Henry Street
Binghamton, New York 13901

Randolph F. Treece
James T. Foley U.S. Courthouse
445 Broadway
Albany, New York 12207

Thomas F. Hogan
c/o 333 Constitution Avenue N.W.
Washington, DC 20001

Via first class mail (postage pre-paid)
Without enclosures.



Daniel Andrew Pallen
c/o 106 West Front Street
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Thomas J. McAvoy
U.S. Courthouse
15 Henry Street
Binghamton, New York 13901

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